IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

LA.App..No. 486 of 2007()

LAR.363/1997 of ADDL.SUB COURT,KOLLAM
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APPELLANT: RESPONDENT.

STATE OF KERALA.

BY GOVERNMENT PLEADER SRI.L.G.SURESH BABU.

RESPONDENTS: CLAIMANT.

GEETHAMANI, MANJINTATHIKATHU VEEDU,
MANGAD, KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

L.A.A.No. 486 OF 2007

Dated this the 23rd July, 2007.

J U D G M E N T

Heard. Admitted, Advocate Sri.Subhash Chandra Bose takes notice for the respondent. The State has filed this appeal challenging the quantum of enhancement. The Trial Court relied on its own decision in L.A.R.No.64/1996, and the copy of the same is marked as Ext.A3. The learned counsel appearing for the respondent-claimant submits that the decision in L.A.R.No.64/1996 has become final and conclusive, as no appeal was filed against decision. It is submitted that State has filed similar appeals and those appeals were dismissed by this Court, on the ground that Ext.A3 has become final and conclusive. The above principle applies to the facts of this case also, and the same is only to be dismissed.

In the result, the appeal is dismissed.

K.PADMANABHAN NAIR,
JUDGE

nj.